

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: § Confirmation No. 5846
Philip Atkin §
Serial No.: 10/038,569 § Group Art Unit: 2622
Filed: January 2, 2002 §
Title: Method of Obtaining An Image § Examiner: Yogesh K. Aggarwal
§ Atty. Docket: §
GJEL:0003/FLE/POW
MJB06834US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. § 1.6(d), or is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4), or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 20, 2009
Date

/W. Allen Powell/
W. Allen Powell

ENTITY STATUS CHANGE REQUEST

By the present paper, Applicant makes an assertion of Small Entity status in accordance with 37 C.F.R. § 1.27(c). Indeed, Applicant is herewith requesting an Entity Status Change from Large Entity to Small Entity for the above-identified patent application. Applicant verifies that they have less than 500 employees and have not licensed the rights in the application to a third party.

Additionally, Applicant presently requests a refund within three months of erroneously paying a Large Entity fee. A separate letter requesting the refund and providing the details of the improper charge is being submitted concurrently. In summary, Applicant paid \$810.00 for an RCE and \$1110.00 for a three-month extension, each of which were filed on October 12, 2009. Because the Applicant has Small Entity status, the proper Small Entity fees should have been \$405 and \$555.00, respectively. Accordingly, the Applicant respectfully requests that the difference of \$960 between the previously-paid total amount of \$1,920.00 (Large Entity) and the total amount of \$960.00 (Small Entity) for the RCE and 3-month extension of time be refunded to Deposit Account No. 06-1315; GJEL:0003/FLE.

If the Examiner wishes to resolve any other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

Date: October 20, 2009

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